

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MAY 16, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-18679 - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY**

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**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

**Planning and Development**

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
7. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada saying the billboard is sound.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Required Two-Year Review of an approved Special Use Permit (U-0052-95) which allowed a 40 foot tall, 14-foot x 48-foot Off Premise Advertising (Billboard) Sign at 336 West Sahara Avenue.

The subject off-premise advertising (billboard) sign is not in compliance with city requirements, the standards of the Downtown Centennial Plan, and contains graffiti. This off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/21/95	The City Council approved a Special Use Permit (U-0052-95) for a 14-foot by 48-foot, double-faced billboard on the subject property. The Board of Zoning Adjustment recommended denial on May, 23, 1995.
08/16/00	The City Council approved a Required Five-Year Review [U-0052-95(1)] for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a one-year review. The Planning Commission recommended approval on June 22, 2000.
12/19/01	The City Council approved a Required One-Year Review [U-0052-95(2)] for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a one-year review. The Planning Commission recommended approval November 1, 2001.
01/22/03	The City Council approved a Required One-Year Review (RQR-1222) for the 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a two-year review. The Planning Commission recommended approval December 19, 2002.
03/02/05	The City Council approved an appeal the Planning Commissions denial of a request for a Required One Year Review of an approved Special Use Permit, which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 336 West Sahara Avenue. The Planning Commission and staff recommended denial.
03/08/07	A site inspection was conducted and photographs were taken depicting graffiti on the pole.
04/12/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #77/ng).
<b><i>Related Building Permits/Business Licenses</i></b>	
07/26/95	A building permit was issued for the subject sign. Final inspections were not conducted.

<b><i>Pre-Application Meeting</i></b>
A pre-application meeting is not required, nor was one held.
<b><i>Neighborhood Meeting</i></b>
A neighborhood meeting is not required, nor was one held.

<b><i>Details of Application Request</i></b>
<b><i>Site Area</i></b>
Net Acres      0.55

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Multi-family Residential	MXU (Mixed Use)	R-4 (High Density Residential)
South	Undeveloped	Clark County	Clark County
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
West	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		N
Redevelopment Plan Area	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
G-O Gaming Enterprise Overlay District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	290 feet to another Off Premise Sign	N
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	85 feet from "R" zoned property to the north.	N

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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## ANALYSIS

This is the fifth review on the subject off-premise advertising (billboard) sign. A site inspection yielded that there is graffiti on the pole. A condition of approval will require that this is removed. Additionally, with a distance separation of 290 feet the sign does not meet the required 300-foot separation distance from another off-premise advertising (billboard) sign and only 85 feet from residential property where 300 feet is the minimum required. This sign is located within the Northern Strip of the Downtown Centennial Plan. The standards set forth in this plan require off-premises advertising signs to be directly mounted to and flush with the wall of a structure and shall not be freestanding. Therefore, this sign is not in compliance with the standards of the Arts District. Also a final inspection was not conducted on the subject sign; therefore, the sign is not in compliance with city requirements. Due to these reasons denial of this request is recommended.

## FINDINGS

The subject off-premise advertising (billboard) sign is not in compliance with city requirements, the standards of the Downtown Centennial Plan, and contains graffiti. This off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

## PLANNING COMMISSION ACTION

The Planning Commission added condition #7 to which the applicant agreed.

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

## ASSEMBLY DISTRICT 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 67 by City Clerk

**APPROVALS** 0

**PROTESTS** 0